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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
RYO KURODA, ET AL. ) : Examiner: J. Ruggles  
Application No.: 10/648,317 ) : Group Art Unit: 1756  
Filed: August 27, 2003 ) :  
For: NEAR-FIELD PHOTOMASK NEAR- ) May 19, 2005  
FIELD EXPOSURE APPARATUS :  
USING THE PHOTOMASK, DOT )  
PATTERN FORMING METHOD :  
USING THE EXPOSURE )  
APPARATUS, AND DEVICE :  
MANUFACTURED USING THE )  
METHOD :  
:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action mailed April 19, 2005.

In the action, it was alleged that the various claim groups are distinct because they are related as an apparatus, a process and a product made, and because they have acquired a separate status in the art as shown by their different classification. These contentions are respectfully traversed. It is submitted that the amount of effort required by the U.S. Patent and Trademark Office would be lessened by permitting all of the claims presently in the application

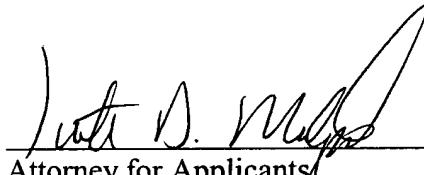
to be prosecuted in a single application. The alternative is to proceed with the filing of multiple applications, each consisting of the same disclosure, and each being subjected to substantially the same search, perhaps by different Examiners on a different occasions, with the resultant burden on the Patent and Trademark Office. Accordingly, it is respectfully requested that the restriction requirement be reconsidered and that all of the claims presently in the application be prosecuted in a single application.

Nevertheless, in order to comply with the requirements of 37 C.F.R. §1.143, Applicants provisionally elect the claims of Group I, namely Claims 1-6.

Due consideration and prompt passage to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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